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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
S0351/186588

First named inventor: Burns

Application No.: 09/336,328

Group Art Unit: 1653

Filed: June 18, 2999

Examiner: Moezie

Title: COMPOSITIONS SUITABLE FOR CONTROLLED RELEASE OF THE HORMONE GNRH AND ITS ANALOGS

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703)305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- Small entity - fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
 Other than small entity - fee \$1300.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of Response to Office Action (identify type of reply):

- has been filed previously on _____.
 is enclosed herewith.

B. The issue fee of \$ _____

- has been paid previously on _____.
 is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$____ for a small entity or \$____ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

May 7, 2003



Date

Signature

Telephone
Number: (404) 815.6218

Bruce D. Gray

Typed or printed name

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Address

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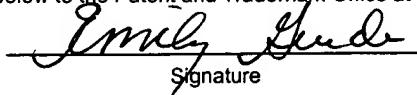
Enclosures: Fee Payment

- Reply
- Terminal Disclaimer Form
- Additional sheets containing statements establishing unintentional delay
- Other : _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(A)]

I hereby certify that this correspondence is being:

- deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703) 308-6916.

May 7, 2003
Signature

Date

Emily Guida

Typed or printed name of person signing certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Burns

SERIAL NO.: 09/336,328 GROUP ART UNIT: 1653

FILED: June 18, 1999 EXAMINER: Moezie

FOR: COMPOSITIONS SUITABLE FOR CONTROLLED RELEASE OF THE
HORMONE GNRH AND ITS ANALOGS

ATTORNEY DOCKET NO.: S0351/186588

I hereby certify that this correspondence is being deposited with the
United States Postal Service as certified first class mail in an envelope
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1450, Alexandria, VA 22313-1450, on May 7, 2003

Emily J. Hinde

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DATE: May 7, 2003

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PETITION UNDER 37 C.F.R. § 1.137(b)

Sir:

STATEMENT OF FACTS

This application was abandoned by Notice of Abandonment dated May 9, 2001, for failure to respond to the Office action dated September 21, 2000. Because (1) Applicants' representative never received the Notice of Abandonment and because of a misunderstanding on the part of Applicants' representative as to whether instructions not to proceed with PCT national phase entry included this U.S. application, the entire delay in providing this reply was unintentional.

RELIEF REQUESTED

Applicants respectfully request that this application be revived under 37 C.F.R. § 1.137(b) and restored to pending status. A response to the Office action is enclosed herewith.

A check for \$1300.00 is enclosed herewith.

Please charge any fees in connection with this filing to Deposit Account No. 11-0855.

Respectfully submitted,



Bruce D. Gray
Reg. No. 35,799

Date: May 7, 2003

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